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# A D D R E S S

OF

His Excellency

WILLIAM CLAFLIN,

TO THE TWO BRANCHES

OF THE

Legislature of Massachusetts,

*JANUARY 7, 1871.*

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BOSTON:

WRIGHT & POTTER, STATE PRINTERS,

79 MILK STREET (CORNER OF FEDERAL).

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SENATE.....

.....No. 1.

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## A D D R E S S.

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*Gentlemen of the Senate, and of  
the House of Representatives:*

The people, in accordance with the Constitution and laws, have confided to your care the great interests of this honored Commonwealth for the coming year, so far as they are to be affected by legislative action. A gracious Providence has brought us together at a time when our State is signally favored in all those things which tend to elevate a people, and we should be ungrateful indeed, did we fail, on our assembling, to thank Him whose care has been so constant in the past, and to ask His continued blessing upon ourselves and the people we represent, in the future.

Two hundred and fifty years ago our fathers came to these shores to enjoy the rights of conscience in freedom. They laid the foundations of the State on immutable principles.

No selfish aims were suffered to influence their action, but, in faith of a glorious future for their descendants, they toiled and suffered to establish firmly in organic laws, liberty, morality and religion as the true bases of an enlightened and prosperous Commonwealth.

How wisely they judged as to what would in the end secure to a people the greatest degree of comfort and happiness, may be seen in the material wealth which is gathered in our populous cities and thriving villages, in the public improvements which are conspicuous on every side, in the noble system of popular education established by law and supported by taxation, in the institutions for higher intellectual improvement, which are fostered by the public spirit and sustained by the beneficence of the people, and above all in that broad Christian charity which seeks to alleviate every form of suffering to which humanity is liable, whether from fault or misfortune.

I call your attention, first, to our

#### FINANCES.

The policy of finance adopted by the Legislature and faithfully adhered to by those charged with its administration, has produced economy in expendi-

ture and fully sustained the credit of the State at home and abroad. The general prosperity of the Commonwealth renders certain the accumulation of her established sinking funds which now amounts yearly to more than a million of dollars. The assurance of present and future ability for the prompt liquidation of the principal of all existing liabilities, without recourse to taxation is very gratifying.

*The Funded Debt,*

For the purpose of convenient reference, may be thus classified:—

Loans to Railroad Corporations, . . . .	\$9,483,920 00
War loans, . . . .	16,573,244 00
Ordinary loans, . . . .	1,070,000 00
Total, . . . .	\$27,127,164 00

*The Unfunded Debt.*

Temporary loans, . . . .	\$582,728 16
Balance due Baring Bros. & Co., . . . .	356,989 77
Certificates of indebtedness issued to W. & F. Shanly, . . . .	200,000 00

Deposit loan, . . .	\$3,000 00
Total, . . .	\$1,442,717 93
Making the total Funded and	_____
Unfunded Debt, . . .	\$28,269,881 93

The Sinking Funds for the redemption of this debt now amount to more than \$15,000,000.

During the past year the funded debt has been increased, by the issue of a new loan for harbor improvements of \$230,000, and, early in the year, by the issue of scrip to the Boston, Hartford & Erie Railroad Company of \$206,184, and reduced by payment of the Western Railroad loan of \$2,381,280, the Eastern Railroad of \$75,000, the Consolidation of the Statutes loan of \$150,000, and the loan of 1861 of \$99,000,—

Showing a decrease in the Funded debt of, . . . . .	\$2,269,096 00
Adding thereto decrease in Unfunded debt, . . . . .	283,402 09
Total net decrease, . . . . .	\$2,552,498 09

Another reduction of the funded debt will be made the present year, by the payment of the

Western Railroad loan, amounting to \$761,816; balance of the Eastern Railroad loan amounting to \$50,000; and of \$200,000 of the Union Fund (War) loan—in all, \$1,011,816. Full provision for these payments has already been made.

*Productive Resources.*

The resources of the Commonwealth directly applicable, under existing laws, to the redemption of her debt, are ample for that purpose. I append hereto a statement of their par and market values, as follows:—

	<i>Par value.</i>
Debt Extinguishment	
Fund, . . . .	\$605,400 00
Union Loan Sinking	
Fund, . . . .	3,600,000 00
Bounty Loan Sinking	
Fund, . . . .	2,488,259 21
Mass. War Loan	
Sinking Fund, . .	1,835,803 66
Coast Defence Loan	
Sinking Fund, . .	425,690 79
Almshouse Loan	
Sinking Fund, . .	164,514 44

Back Bay Lands	
Fund, . . . .	\$220,000 00
Troy & Greenfield R.	
R. Loan Sinking	
Fund, . . . .	655,640 81
Boston, Hartford &	
Erie R. R. Loan	
Sinking Fund, . .	659,196 38
Western R. R. Loan	
Sinking Fund, . .	761,816 00
Norwich & Worcester Railroad Loan	
Sinking Fund, . .	286,546 15
Total, . . . .	\$11,702,867 44

*Market value.*

Present market value,	\$12,565,642 00
To this should be	
added unsold Back	
Bay lands, . . .	1,500,000 00
Land sold Boston &	
Albany Railroad	
Company, . . . .	435,000 00
Unsettled claims	
against the United	
States, estimated at	300,000 00

Proceeds of land sales pledged for the redemption of the Harbor Improvement loan, . .	\$230,000 00
Total present value,	\$15,030,642 00

Excluding the Western, and Norwich and Worcester Railroad Sinking Funds, which are fully sufficient for the payment of the loans for which they are held, the aggregate accumulation to the remaining funds, at their par value, indicates an increase of nearly one million three hundred thousand dollars during the year 1870. The legitimate income of these funds, even at a much smaller percentage of increase will, with their principal, relieve the treasury from all embarrassment on account of present State loans, most of which have from sixteen to thirty years to run before maturity.

The loan of \$230,000 is to be reimbursed with interest from the proceeds of sales of land purchased under authority of the Act creating the loan.

No further addition has been made to the funded loan in aid of the Troy and Greenfield Railroad and

Hoosac Tunnel. The scrip thus far issued amounts to \$4,673,070, which is due from 1888 to 1894. There is now chargeable to the loan, to be reimbursed to the issue of scrip, \$1,564,279, making the entire sum paid by the Commonwealth for this enterprise \$6,237,359, exclusive of interest accrued in 1870. The sinking fund established for the redemption of the loan amounts to \$655,642, par value; its market value being about \$3,000 more.

The Boston, Hartford and Erie Railroad Loan (a five per cent. sterling loan), stands at \$3,599,024, maturing in the year 1900. The sinking fund provided for its redemption now amounts to \$659,219, which, with its legitimate income for thirty years, will doubtless secure the State against further liability on account of the principal. The interest on this loan, now paid from the ordinary revenue, may be reimbursed in part from the proceeds of the "Berdell Mortgage Bonds," if from no other source.

The loan of \$356,989 from the Messrs. Barings, will be eventually merged in the funded loans on whose account its proceeds have been used, and will thereby become chargeable to the sinking funds created for their payment.

The unsold Back Bay lands are estimated in

the foregoing statement at their average minimum value (\$1,500,000). It is reasonable to anticipate an increase in this amount.

It will be seen from this statement that, deducting the sinking funds and other resources set apart for the payment of the public debt, the indebtedness of the State amounts to \$13,269,-881.93. Within the last eight years more than twelve millions of dollars have been paid for the relief of disabled soldiers and their families and the families of the slain. In addition to this, more than sixteen millions (\$16,000,000) of dollars have been paid in bounties to soldiers since 1861. Surely no one will complain of the burden of the debt when so large a part of it has been contracted for the relief of those patriotic men and their suffering families.

*Finance for the present year.*

The ordinary expenditures for the present year are estimated at . . . \$4,700,000 00

The ordinary revenue from all sources may be stated at . . . 2,200,000 00

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Showing a deficiency of . . . \$2,500,000 00

In the above estimate there is no provision for reducing the temporary loans made to pay for work on the Hoosac Tunnel, in anticipation of the sale of scrip, from which the Treasury will be reimbursed.

This statement shows that a tax of two and a half millions of dollars will be necessary, unless the tax on savings banks should be increased to one per cent., as recommended elsewhere, in which case the State tax may be reduced to two millions of dollars.

#### HOOSAC TUNNEL.

This enterprise has now been in the hands of the contractors one year and nine months. The progress for the first year was slow, as the machinery was imperfect, and the contractors, though accustomed to large public works, were inexperienced in tunnelling on an extensive scale. For a long time they could not obtain enough laborers to man the works as fully as they desired, but for the last six months there has been no difficulty in obtaining as many as they could employ to advantage, and the progress made is much more satisfactory. The central shaft is now finished down to the grade, and the contractors are working from that both ways, though as yet, for

the want of machinery, they are unable to make great progress. Thus far there seems to be no serious obstacle to an early completion of the tunnel,—certainly sooner than the stipulations in the contract require. The contractors have performed their work generally to the satisfaction of the engineers in charge of the tunnel under the authority of the State. The line has been carefully examined recently, so that no reasonable doubt can be entertained that the position of the central shaft is correct, and that the headings will meet and form a continuous tunnel in a straight line from end to end.

The amount of work performed by the contractors, Messrs. W. & F. Shanly, is \$1,248,184.13, and the amount paid to them is \$740,047.31, and the reserve, held as security for the faithful performance of the contract, amounts to \$508,136.82.

The amount to be paid them will increase each month until the contract is completed, as progress from the four faces will be at least one-third greater than has been attainable up to this time, working from only two. The whole length of the tunnel now opened is thirteen thousand six hundred and twenty-two (13,622) feet, or very nearly two and seven-twelfths ( $2\frac{7}{12}$ ) miles.

The distance remaining is eleven thousand four hundred and nine (11,409) feet, or very nearly two and two-twelfths ( $2\frac{2}{12}$ ) miles.

To all who have had knowledge of the obstacles which have been overcome since the enterprise was commenced, there seems to be very little doubt of its speedy completion. That the public need this new avenue very few question. Our railroads leading to the interior cannot, or have not, kept pace in their improvements with the increasing demands for new and enlarged facilities made by the growing business of the State. As the opening of this avenue becomes a certainty, greater accommodations will be needed by the connecting railroads, and they cannot make too early preparation for the increased traffic. The State has a very large direct interest in the early development of this through line, and should give every facility that is needed to accomplish the object. Some have been disposed to question the ultimate value of the line in direct returns to the treasury, because the people of other States have been made to suffer heavy direct losses from the want of wisdom and faithfulness in the managers of these public enterprises. We confidently hope for more care and fidelity in the

management of this work, by which the treasury will ultimately be reimbursed for this outlay. But if it should be otherwise, the indirect advantage will far exceed and outweigh the amount of money expended.

The last Legislature appropriated one hundred thousand dollars for repairing the injuries to the Troy and Greenfield Railroad caused by the freshet of October, 1869. The work has been done under the superintendence of experienced engineers, who have taken every possible precaution to prevent a recurrence of the disaster. The road and bridges are in much better condition than ever before, the appropriation having been judiciously and economically expended.

THE BOSTON, HARTFORD AND ERIE RAILROAD  
COMPANY.

Soon after the adjournment of the last Legislature the supreme court placed the property of the Boston, Hartford and Erie Railroad Company in the hands of receivers, after a careful and protracted hearing, which demonstrated that that corporation was hopelessly insolvent. I am informed that suits have been instituted in other States under which some of its rolling stock and other property

have been sold. Various suits are pending in regard to its franchises and property, involving questions of much interest to the Commonwealth, which holds more than three and a half millions of dollars of its bonds. The State has loaned it about three million six hundred thousand dollars, but this amount is properly reduced by the sinking fund to about three millions of dollars. For this indebtedness the Commonwealth holds as security:—

*First*, The obligation of the company to pay the bonds issued by the State, at maturity.

*Second*, Three million six hundred thousand dollars of Berdell mortgage bonds.

*Third*, A second mortgage on all the lands purchased of the State and of the Boston Wharf Company at South Boston by the Boston, Hartford and Erie Railroad Company.

On the 15th day of November last, the Boston Wharf Company, in accordance with their agreement with the State, gave notice that they were about to foreclose their mortgage. This notice must be served nine months prior to any sale in behalf of the Boston Wharf Company. Some action, therefore, must be taken by the Legislature to preserve the rights of the Commonwealth in this valuable property, as the Treasurer has now no

authority to pay the interest or principal of this underlying mortgage. This mortgage was given to secure the payment of one million two hundred thousand dollars, and covers about twenty-six acres of filled land, now in the hands of the receivers, and used by them for the business of the road; and also about twenty-three acres of flats on which a very considerable expenditure has been made in preparation for filling as stipulated by the Harbor Commissioners. This land, amounting to nearly fifty acres, lying on the east side of Fort Point Channel, cannot fail to become very valuable hereafter for the use of the several railroads, whose merchandise depots could be located there with great advantage to them and also to the general wants of the public. That the property will be worth far more than the mortgage and interest belonging to the Boston Wharf Company, long before the bonds loaned to the corporation by the State shall fall due, I cannot doubt, and I earnestly recommend an early examination of the subject in order that some arrangement may be made with the Boston Wharf Company, or else an appropriation be made to save the property to the State. If a favorable turn in the affairs of the Boston, Hartford and Erie Railroad Company takes place, that corporation or

its successors will need a large proportion of the land, and the State may be more ready than any private owner to favor the corporation. The early completion of the road is most desirable, and no doubt the work will be resumed as soon as the courts are able to unravel its complicated affairs, and to give the rightful owners possession.

If there is any way by which the State can assist responsible parties to fill the flats mortgaged to the State, it may be best to do so, but no other aid should be given this enterprise, which doubtless will be completed by parties holding bonds, and otherwise interested in the future success of the enterprise.

The States of Rhode Island and Connecticut are deeply interested in the completion of the road. They cannot fail to receive great benefit from its intimate connection with the coal-fields and the great market of the West. If public credit is to be again asked, these States should be appealed to, and if they still refuse assistance and this route is not opened, their citizens will have no occasion to charge Massachusetts with inaction. In fact, we may well pause before aiding this company any more, if it is not thought worth assisting by those States, which are certainly to receive as many if

not more benefits from its construction than our own. The trustees under the Berdell mortgage have taken no steps to obtain possession of the road, for the reason that no party has placed funds in their hands to pay counsel fees, and other necessary expenses which are incident to the trust. The Commonwealth should furnish its share of this outlay in connection with other parties who hold these securities. Many of the bondholders are ready to contribute, but seem to be waiting for the State to take action, feeling, probably, that unless the larger holders are ready to furnish their proportion, what they would subscribe would be of little use. If the State subscribes its share of the funds necessary, they will readily follow, and the trustees will be able to proceed according to the terms of the trust.

There seems to be no other practicable way to bring the property into a position that will enable the parties concerned to finish the road. That course is agreeable to the conditions of the mortgage and in accordance with usage in all such trusts. Doubtless this will appear to be unfavorable to those persons having claims against the corporation, but they can have little hope of receiving anything under the present receivership, which, at best, is intended to be only temporary. It may

be wise to give the trustees power to compromise such claims as appear to be just, in any way not inconsistent with due regard to the interests of the bondholders.

#### RAILROADS.

The report of the Railroad Commissioners will be found to contain a great variety of suggestions and details, the interest of which, to the people of the Commonwealth, will be seen when we remember that the annual sum now paid for transportation to the several railroads within our limits, exceeds the whole amount of our State, county and town taxes. It is worthy of inquiry whether the rates of transportation cannot be reduced, and, from the consequent increase of business, the corporations be enabled to pay reasonable dividends, while affording increased accommodations to the public.

Much of the time of past Legislatures has been devoted to the examination of the various projects for new railroads brought to their attention. May not the time now have arrived when general laws may be enacted under which all new enterprises may be organized, and thus relieve you and your successors from the labor of these investigations?

The powers of the Commissioners might also be extended, and they be authorized to determine many points now controlled by local boards or the Legislature, such as the crossing of highways, the location of stations, and other minor matters, which in other States have been found to be safe under the care of central boards, or of the courts.

#### SAVINGS BANKS.

From the report of the Commissioner of Savings Banks, it appears that the whole amount of deposits and surplus in the banks is now \$138,232,-271.59, an increase of nearly \$24,000,000 over the amount on deposit last year. It is very evident that a large share of this increase is not the savings of labor.

The investments have been found to be safe, and as remunerative almost as in other money corporations where the funds are not so readily at the command of the owner.

Each year shows more deposits by capitalists. Perhaps this is not to be regretted, as it enables the banks to do the business at a very small expense,—the average cost last year being only twenty-seven one-hundredths (27-100) per cent. A very large part of the funds is loaned on real estate, this

method of investment having been favored in former years by the Legislature, and highly approved by the public. By every prudent expedient we should encourage these institutions. They are under the authority of the State, and are generally controlled by honest, sagacious and faithful men. The accumulations of capitalists will, in the end, find their way largely into these institutions, for as our banking law now stands, they furnish the only place of deposit for persons desiring to have their invested funds on interest, and at the same time subject to their immediate call. In this way, money that would seek other parts of the country for investment, is retained here for the benefit of our people desiring to make permanent loans at moderate rates of interest. I am constrained to say here, that there has been a manifest desire with many, especially the new banks, to pay a large dividend in order to attract deposits. This has led them to exact high rates of interest on their loans, often as high as eight per cent., and sometimes higher. It is evident to all business men that such rates cannot be obtained without impairing the security of the loans. Thus far great care and wisdom have been manifested in the conduct of these institutions in their investments,

but if a spirit of rivalry is engendered disaster will surely follow.

It may be wise for the Legislature to place some wholesome check on this tendency of the banks to exact high interest and consequently to take doubtful security. The burden falls heaviest upon the small borrowers, who are the least able to bear this exaction. It is for the public welfare that every man of moderate means should have a homestead, and every inducement should be held out to him to exert himself to obtain one, but it is discouraging for him to find that he cannot effect a small loan without being compelled to pay a rate of interest which will absorb a large share of his surplus earnings.

It should be a principle with the institutions to invest in these small mortgages. As a rule, they are equally safe with others, the only objection being the extra care on account of the increased number of loans. This is a very small consideration, and certainly every bank officer should be willing to contribute his part of labor for the public good, and for the benefit of a large share of the depositors in these institutions.

I again call your attention to the propriety of enlarging the amount of deposits which may be

made by any one person. I can perceive no possible harm to the public in such an increase, but, on the contrary, much deception would be avoided if depositors be permitted to place considerable amounts in banks convenient to their places of residence.

The rate of taxation on deposits in these institutions is only about one-half the average rate of the State. Owing to the great changes in our financial affairs, the drift of these institutions is to become ordinary money corporations, and it is questionable whether such a great relief from the public burdens is longer justifiable. An increase of the tax would also tend to check the establishment of new banks where there are enough already for the accommodation of the public. In most of our large towns and cities there is no real necessity for more banks. The demand comes mainly from persons who expect to hold treasurerships and other offices which yield comfortable and permanent salaries. This disposition to seek these sinecures should not be encouraged by the Legislature.

## THE STATE PRISON.

The income of the State Prison for several years has exceeded the expenses by nearly thirty thousand dollars. This is a very gratifying result, which is largely due to the faithfulness and good judgment exercised by the Warden, Inspectors and other officers of the institution. While such success has attended the labors of those in charge, pecuniarily, there has been a marked improvement in the discipline of the prison. The inmates have been kindly treated, and every effort on their part to lay the foundation of a better life when they shall be released from confinement, is earnestly encouraged. The school established more than a year since has been very successful, and the attendants show their appreciation of the privilege granted them by faithful devotion to their studies. Three evenings a week are employed in the instruction of more than one hundred scholars, and a larger number would attend if the prison had a room properly arranged and fitted exclusively for school purposes. In the winter months lectures are usually given once a week, which are fully attended, and the privilege is highly prized by the inmates. At present the chapel is used for a school-room,

there being no other place for public worship, lectures, entertainments or school purposes for nearly six hundred men. It is a matter of vital importance that this large number of prisoners, desiring instruction in various ways, should have ample accommodations for that purpose, so far as they can be given to them with safety. It must be admitted that confinement in idleness is not the best or most effective form of punishment. If we seek to restore the criminal to society a reformed man, we cannot withhold any means of improvement compatible with his condition. In this work the school will occupy a high place in the future. It is an evidence of the advancing civilization of the age. It is not in harmony with our history to leave these young men in that state of ignorance, which in many cases led them to commit the crimes which sent them to the prison; and the State should not continue to be responsible for this ignorance while the criminal is under her authority. These men should be encouraged to prepare themselves for usefulness when they shall leave the prison, and be better fitted to obtain an honest livelihood than when they entered it. A moderate sum will enable the authorities to provide a

school-room with suitable desks, blackboards and other appurtenances necessary for the comfort and instruction of scholars. Certainly men confined to the walls of a prison should have such common conveniences, especially when there is a surplus paid into the State treasury yearly, above the ordinary expenses of the institution. An increase in the amount appropriated for the purposes of instruction should be made, to enable all who desire, to avail themselves of the advantages of the school. I would also suggest the expediency of allowing the prisoners compensation for extra labor. The money thus earned might be paid to their friends, who often suffer greatly from the loss of their assistance; or it might be deposited in the savings banks for their benefit when they leave the prison.

The exertions made by the authorities to improve the moral and physical condition of the inmates have been appreciated by them; the number of offences against the rules of the prison has been lessened; there are fewer attempts to escape, and there is a more cheerful aspect over the whole institution than in former years. Nor do the privileges which have been allowed the prisoners lessen their fear of punish-

ment. Nothing can compensate a human being for the loss of liberty, or make imprisonment for any length of time endurable. The quickened intellect feels even the more keenly the dishonor which clings to a felon's name, and still more the deprivation of personal freedom. The statistics of the prison show that not more than one-sixth ever enter its walls, as criminals, the second time.

Though some are pardoned, and the public are often led to believe that executive clemency is too freely exercised, still the chances of freedom in this way are too small, in this State, to induce any one to run the risk of long incarceration. Not one-tenth of the whole number are pardoned annually. Of the number of prisoners pardoned, many are released when quite ill, that they may be cared for by their relatives in their last days; and others, whose crimes are not of an aggravated character, are set free when showing incipient disease, and where continued confinement will most surely produce fatal results. All who have had experience in the Council will testify to the caution exercised to prevent an unwise use of the pardoning power. Persons taking seats at the Council Board with strong

convictions against the policy of releasing prisoners before the expiration of sentence, have almost invariably been led to modify their views, and often become the readiest to listen to petitions for clemency.

It may be mentioned, in this connection, that it is the custom to issue pardons on condition that if the person pardoned is again convicted of crime, during the period of his first sentence, he shall serve out the remainder of the original sentence. This most salutary provision is rarely departed from; and it is very seldom that a prisoner is again convicted while this condition is in force, however hardened he may be in crime. A consideration of this subject may lead you to make further amendment to the law, and give greater power to the executive in this direction.

#### THE PRISON COMMISSION.

The Prison Commission has had but a short time to examine the important matters committed to it by the law of the last Legislature establishing that Board. That our county system of prisons needs radical changes in many respects cannot be doubted by any one who examines the subject. The Commission, in carrying out the

will of the Legislature, desire to remedy evils, and not to make changes of doubtful expediency. That their action may be wise and satisfactory is their earnest purpose; and they have, therefore, proceeded with great caution to make a thorough examination of the jails and houses of correction throughout the Commonwealth. Thus far they have been unable to mature a system under which they can make transfers of prisoners as contemplated by the law. They will lay before you, from time to time, for your information, such facts and recommendations as may seem to them important and judicious. The subject is one of much interest, and should receive careful attention.

#### THE STATE CHARITIES.

The report of the Board of State Charities will show their operations and the results which have been attained during the year. It is the purpose of the Board to bring all departments under their care into harmonious action, with a rigid accountability for the large disbursements which are wholly or partially under their authority. It is not their desire, nor that of the people of the Commonwealth, to treat the unfortunate persons who are

dependent upon the public for support, in any parsimonious spirit, but rather that a wise care and oversight should be instituted upon all expenditures, and giving at the same time to the recipients of the public charity everything that will conduce to their welfare consistent with their condition. It has been the aim of the authorities to discourage persons in needy circumstances from becoming chargeable to the State; to keep alive in them, so far as possible, the feeling of personal independence; for when a man willingly becomes dependent, he is not only an expense, but a means of demoralization to the community. Let the traditions of a family be those of voluntary pauperism and scarcely any effort in their behalf will lift them from the degradation.

Acting on the principle that segregation is far better than aggregation, especially for the young, the State has established the system of relieving the sick poor through the town authorities, thus saving a large regular expenditure for their support, and at the same time permitting them to enjoy the comfort of their homes, and the society of their relatives and friends. A visiting agency has also been established which has partial supervision over every child in the care of the State, but

particularly after he leaves its institutions, to prevent the infringement of his rights as regards his physical wants or moral and intellectual welfare. In addition to this supervision, the agency performs a most important work in examining the real facts of the cases of the children when they are brought before the magistrates, for it is the duty of the agent equally to defend the rights of the children and of the Commonwealth. Another duty of the agency is to provide suitable places to indenture the children as fast as they can be discharged, with safety to the public, from the institutions to which they have been sentenced. The result of this work will appear in the report I have referred to, and also in the extended report of the agent. The objects contemplated in the establishment of the agency must meet the approbation of every one who seeks the welfare of the children, and the best means of relieving the Commonwealth from the burden of their support. As the result of its action the number of inmates in the Westborough Reform School has been largely reduced. The same is true also of the Nautical School, and the trustees have been enabled to give up one ship, transferring the boys on board to the other ship, and to the Westborough School. The ship thus

relieved has been sold, and the proceeds of the sale have been paid into the treasury. There would seem to be no doubt of the expediency of continuing a system which has been of such signal benefit to these children, and also a means of reducing largely the expense of their maintenance. Instead of curtailing its action it would be better to extend the powers of the agency, bringing every child accused of crime under its supervision, before sentence as well as after, that our courts may be saved the painful task of trying children of tender age, without other defence than the humanity of the courts, which in some instances have stopped the proceedings, directing the officer to open the prisoner's box and let the child go free.

The workhouse at Bridgewater needs the attention of the Legislature. It was originally built for an almshouse, and is still used as such to a limited extent. But now by far the larger part of the inmates are held under sentence for two years and under, mainly to give them an opportunity to reform. It will be seen at once that a building adapted to the purposes of charity is unsuitable for a prison. There should be a thorough separation, that the penitent desiring to reform may not be influenced by the incorrigibly wicked. Scarcely

any such isolation is now possible, and if the present system is to be continued an appropriation should be made to enable the authorities to improve the buildings and adapt them to the present uses of the institution.

#### THE MILITIA.

Very few changes have been made in the laws relating to the militia, for three years past. The system established seems to be well adapted to our present circumstances, and is generally satisfactory to the officers and men, who retain their enthusiasm for the service, as evidenced by the number going into camp each year, which remains about the same.

The number of enrolled militia is . . . . .	181,719
Increase over 1869, . . . . .	5,960
The number of men of the active militia actually in camp was . . . . .	5,890

After consultation with the major-general and the higher officers, I concluded to order a muster of the whole division at Concord. The opinion seemed to be general that an encampment of the whole force would be of great benefit, by stimu-

lating the different organizations to make the best appearance possible, both in numbers and condition. There had been only one similar muster for twenty years, and that was held before the war. A large gathering would bring out the veterans of the late war, and encourage them to join the militia, which is very desirable, as they give greater efficiency to the drill and infuse a spirit of discipline into the young men who have never been in active service. I am happy to say that the militia received the proposition favorably, and showed every desire to make the muster and review useful as well as creditable to themselves, and honorable to the Commonwealth. Under the wise and careful orders of the major-general of the division, all of his admirable arrangements were carried out most successfully. The police established to prevent straggling from camp, and other disorders, was very efficient, and there were no disturbances, either in the camp or outside, equal to those of an ordinary brigade muster. The real objection raised to the general muster was thus overcome, and no complaint was then, or has been since, made of irregularities on the part of the soldiers.

In company with my staff I visited the encamp-

ment on one of the days devoted to general review. The appearance and marching of the troops elicited the highest praise from the members of the staff and other gentlemen who had attained honorable distinction in active service. It was their unanimous testimony that they never saw a better review while in the Union armies, and that they felt this force was trained and prepared for war as well as any militia could be in time of peace.

Though the expense to the State of sustaining our military system is large, it also involves quite an outlay on the part of the members of the organization. They are entitled to the gratitude of their fellow-citizens, and should receive assistance and encouragement in their laudable zeal to fit themselves for service at the country's call. The State has received high honor from the readiness of her citizen soldiery to go to the country's defence when the capital was imperilled. She should never fail to support those patriotic men who are willing to give their time and money that the State may be prepared for a similar emergency.

The difficulty of procuring suitable camping ground increases each year. There is no provision by law for paying for the use of such

grounds, and they have to be furnished by the commander under some arrangement with the owner, who often stipulates that he may lease a portion of the grounds for the accommodation of the public. This enables the vendors of various articles detrimental to the welfare of the encampment, to ply their trade as they could not do under proper and usual regulations. To avoid this stipulation, the generals commanding have been obliged to submit to a heavy expense which the State should not permit them to incur. If the Legislature should think it unwise to purchase grounds, an appropriation should be made to pay for the use of any lands necessary for the encampment.

Only one regiment is armed with breech-loaders. A large proportion, if not the whole of the infantry, should be armed in like manner, if we desire to keep them prepared for effective service. The war in Europe has created such a demand for fire-arms that their cost has materially increased; but still, careful inquiry should be instituted to ascertain whether early preparation ought not to be made for arming all of our infantry with these new guns. The annual expense of the militia for the past three years has been about two hun-

dred and twenty-five thousand dollars. I see no way of reducing this amount and retaining the efficiency of the organization, except by reducing the number of companies. It is the opinion of the adjutant-general and other officers that this may be done without injury to the service. Having called the attention of the last Legislature to the propriety of diminishing the cost of the militia in this way, and it having been decided not to reduce the force, I refer to it now only to ask you to consider the matter before making other changes in the system.

I shall transmit for your information the report of the surgeon-general, detailing the operations of his department. The services rendered the soldiers of the late war by this faithful officer and his assistants deserve high commendation. This State alone extends pecuniary aid to disabled soldiers and the families of the slain. More than six hundred thousand dollars are still paid annually for their relief; and while this method is continued, the work of this department must be performed in a systematic manner, or the Commonwealth will be liable to great loss from frauds practised by parties who are ever ready to live on the public bounty. On the other hand, deserving persons

will suffer from the want of information and assistance.

Many applications for pension and bounty are now pending, which have been placed in the care of this department, and if they fall into the hands of dishonest claim agents the soldiers will lose a large part of the amount really due them. From motives of humanity, as well as justice to those who have sacrificed so much, this work should be continued; and it is my opinion that the system is the best that can be adopted to relieve these persons, who deserve so much from the country.

#### INTOXICATING LIQUORS.

For nearly twenty years, with a single exception, the prohibitory law, so called, has been on the statute book. It has been changed, more or less, at nearly every session of the Legislature, to meet the demands of public opinion. Notwithstanding these changes it would appear that the sentiment of the State was unqualifiedly in favor of the principle of the law, for its enforcement to-day is more general and quite as stringent as at any former period, and at the same time there is little opposition expressed, except by those who are amenable to the law. In no other way can a restriction on the sale of in-

toxicating drinks be made effectual,—at least, no other way has as yet been discovered. True, many, relying too much on the power of law to stem the tide of intemperance, have become discouraged because the desired results have not yet been attained. They have censured the authorities for supposed unfaithfulness, not having acquainted themselves with the practical obstacles to a rigid enforcement of the law. Those engaged in the traffic have not been idle, but have brought every possible influence to bear upon the public, in the hope of creating an impression that no law could be executed. With all these embarrassments, there is no doubt that the law is more effective and better observed in this State than similar enactments for the restriction of the sale of intoxicating drinks in other States of the Union. Under it thousands of dram-shops are suppressed and the whole traffic is curtailed. This is manifest to any one who visits communities where there is no such law, or examines the reports of the State Constable, and the records of the courts.

That the whole dram-shop system is considered a nuisance and a curse is abundantly attested by the legislation of two hundred years. The daily

experience of every police officer shows it to be the great nursery of vice, poverty and crime. The people of the State have manifested their purpose, repeatedly, to do away with the system, especially in regard to the sale of spirituous intoxicating liquors; but they have not been so unanimous in their opposition to the sale of malt liquors.

The last Legislature repeatedly, by a nearly unanimous vote, declared its opinion to be that some modification of the law of 1869 was expedient. Finally, an Act was passed referring the matter to the people. There was no attempt to legalize the sale of spirituous liquors, but it seemed to be conceded that public opinion was well settled in regard to them.

As I understand the law, no principle is yielded. The public, including the friends of temperance, were divided upon the question. No one knew the real opinion of the people; the Legislature referred the matter to them; and I could not see the propriety of withholding my signature to the Act. Solon, when asked if he had made the best laws for the State, replied, "No, but the best that the people will bear." In this country the people are the law-makers through their representatives, and to secure any law the people have but to sig-

nify their will and it will be obeyed. I believe the people will desire to improve this law, so far at least as to suppress dram-shops of every kind. This seems to be their opinion as expressed by their votes taken in September, which show that of 140 cities and towns voting, 119 decided to prohibit the sale.

It is believed that if local meetings had been more generally held, the vote would have been more decisive, and the moral effects of such action by the people would have greatly deterred offenders against the law from pursuing their business.

Although there is a seeming indifference to the great evil of intemperance; although the most enthusiastic friends of temperance are often disheartened by the obstacles to be overcome, still there is constant discussion as to the best methods of suppressing it, and there is a steady advance in the general sentiment that the use of intoxicating liquors as a beverage is not to be defended; but, on the contrary, that the public morals and the public interests, will be greatly subserved when the custom shall have been abandoned. Surely, every philanthropist, every lover of his country, every political economist, must feel called upon to aid, by example

as well as by precept, in the consummation of a reform upon which the highest interests of the State so greatly depend.

#### ASYLUMS FOR INEBRIATES.

I shall transmit to you, at an early day, the able Report of the Commissioners on Inebriate Asylums, which cannot fail to be read with much interest. For a long time efforts have been made to establish an institution which shall be exclusively devoted to the restraint and reclamation of persons sentenced to prison for drunkenness. They are a source of constant sorrow to their friends, and a burden to the community when free. Many of them, when sober, are peaceful and industrious, doing what they can for the comfort and support of their families. The appetite for stimulants has been indulged by them so long that the ordinary periods of imprisonment serve little else than to make the desire uncontrollable, when they are again brought into places of temptation. By a longer term of restraint it is hoped a cure may be effected, as their physical systems will have been improved, their moral powers gradually strengthened, and thus they become enabled to overcome their habits.

The Commission have given much attention to this part of the subject submitted to them, and their conclusions cannot fail deeply to interest the public and justify decided action by the Legislature. It is repugnant to our humanity, if not to our sense of justice, to incarcerate these men with professional and hardened felons, and they should suffer this wrong no longer. The Commission recommend the incorporation of an institution for the medical treatment of inebriates who directly place themselves voluntarily under restraint, or are placed in the institution in the same manner that insane persons now are in asylums. They also concur in the request of the Directors of the Washingtonian Home for an appropriation by the State of the sum of fifty thousand dollars, on condition that a like sum is given by individuals for the purposes of the institution. This Home has been very useful in years past in saving many men who appeared to be lost to themselves and the world, and its means should be increased that it may keep pace with the demands made upon it. It is commended to your favorable consideration.

## THE STATE POLICE.

It will be seen from the report of the Constable of the Commonwealth that while the special duties devolving upon his force by law, have been faithfully performed, the deputies have been exceedingly useful as a general police for the preservation of order on important occasions, as well as for the detection and prevention of ordinary crimes.

The necessity of this force is more apparent every year. To rely only upon the police of the several municipalities for the arrest of even common offenders would weaken the administration of law. The fact that there is a central force accustomed to dealing with turbulent and disorderly persons, is in itself a check upon the disposition of offenders to resist other officers of the law. In no year have the services of the police been in such constant requisition by the authorities of cities and towns where there were to be large gatherings, as in the past. The efficiency and good conduct of the force on all these occasions have been most noticeable and have elicited high praise from persons hitherto disposed to question the necessity of its existence.

The last Legislature so far reduced the appro-

priation that nearly one-half of the deputies had to be discharged. This has proportionally diminished the value of the labors of the force, and the impolicy of this movement is seen in the fact that constant calls have been made by the people of many of our larger towns for the re-appointment of the discharged officers in their respective localities, in order that they may be protected in their persons and property. The constable of the Commonwealth has collected and paid into the treasuries of the several counties, sixty thousand dollars more than the whole expense incurred in his office.

The cost to the people, then, would seem to be no reason why the appropriation should be reduced. It is far better to prevent crime than to arrest and punish criminals who, if they understand that there is a force, ever on the alert, fully competent to deal with them, are deterred, if resident here, from breaches of the law; and those living elsewhere avoid a State where their characters are known and where they are almost sure to be detected and punished if they commit crimes. It must be apparent that the best interests of the community will be promoted by a larger appropriation, that the number of constables may be increased.

## AGRICULTURE.

The agriculture of the State has suffered from the peculiarities of the season, to a greater extent, perhaps, than any other interest. A winter of singular mildness, followed by a spring remarkably early and propitious, gave promise of a fruitful harvest, but a heated term succeeded, culminating in a drought of unprecedented severity, which seriously affected the crops, and caused great loss and inconvenience in all parts of the State. The aggregate yield of farm products, with the exception of fruit, has therefore been less than usual.

The live stock interest of the State, especially that connected with the dairy, has been increasing in extent and importance during the last few years, and the well-being of the community is so intimately connected with and dependent upon it, that the health of the animals on which we rely for dairy products is a matter of great public concern. Contagious diseases among cattle, therefore, have occupied the attention of all civilized governments. The energy and decision with which the State authorities extirpated a highly contagious cattle disease, imported into this State ten years ago, elicited the highest commendations throughout the country, and indeed it may be said

throughout the civilized world, for the methods adopted, the Acts of the Legislature, and the reports of the Cattle Commission relating to it, have been eagerly sought wherever the disease has appeared in this country and abroad.

We have a new disease to contend with, which is of a highly contagious character, recently imported and spreading rapidly among the farm stock. Though quite different from the disease known as pleuro-pneumonia, which the authorities so thoroughly eradicated that no trace of it has been found within our limits for the last five or six years, it is regarded abroad as scarcely less to be dreaded,—not so much from its immediate fatality as from the great loss of property which it entails by rendering the cattle useless. The sacrifice of several hundred thousand dollars is believed to be inevitable. It is supposed to be too late to attack the disease with any hope of eradicating it completely, but if the Legislature places sufficient power in the hands of the Cattle Commission at once, it may be confined to its present limits by suitable sanitary regulations.

The Legislature of 1869 offered prizes for essays upon the construction, repairs and management of roads, to be awarded under the direction of the

State Board of Agriculture. The offer elicited a wide competition, and the prizes were assigned by a committee of the Board, but the matter was not laid before the Legislature in season for any mature action to change the present ancient system of road management. Certain inquiries were instituted, however, and the results, with many statistics in regard to the extent and condition of our public highways, will soon be laid before the Legislature by the Secretary of the State Board of Agriculture. A wide-spread interest has been awakened in this subject, and it is believed that the time has come when the whole system of roads, as recognized by the statutes of this Commonwealth, should be revised and adapted to the wants of the present time and of an advancing civilization.

The Agricultural College has steadily grown in importance and in the confidence of the public. The number of students already admitted, and the numbers presenting themselves for admission each year, show clearly that there was a demand for such an institution in the community. An impartial examination of the curriculum of studies must convince any candid man that it is eminently calculated to meet the practical wants of the present time. This College affords an opportunity for any

young man to study the natural sciences and fit himself at the same time by daily observation and labor, for the pursuit of agriculture. It gives him a thorough course of instruction in English literature; he is obliged to study military tactics and practise them daily, so that when he is graduated he is well qualified for military duty and command. So far as the classes have gone on they show good proficiency, and it is confidently expected by the friends of the institution that the class which is to be graduated this year, will compare favorably with classes in our other colleges in the studies which they have pursued. The expenses of the course in this College are not large, and it is the aim of the trustees to bring them within the reach of any young man of enterprise and energy who desires to obtain an education which will fit him for the active labors of life. The practical value of the College will be more apparent hereafter, and its friends firmly believe that the day is not far distant when a large number of students will be in attendance, and that it deserves and should receive the fostering care of the State. Give it means to educate three hundred students, and it is expected that it will be of no further expense to the Commonwealth, but become self-sustaining, and that then,

like other colleges, needed improvements will be furnished by the beneficence of the wealthy, aided by the strong support of the Alumni who will be graduated from year to year.

The last Legislature passed an Act "for the laying out one or more public parks in or near the City of Boston." The Act failed by a few votes only to be accepted by the people. As there was so large a vote in its favor, it would seem to be the general opinion that the public good required the contemplated action authorized by the Bill, and it is worthy of your consideration whether the two-thirds vote required to make the Act valid should not now be reduced to a simple majority. It is not alone the City of Boston which is interested in this enterprise, but a large district of country around it.

#### INLAND FISHERIES.

The fifth annual report of the Commissioners on Inland Fisheries contains much interesting and valuable information. The commissioners are gentlemen whose experience, mature judgment and practical methods of management are manifest in their prosecution of the important work entrusted

to them. The experiments, facts and statistics which are given are valuable additions to what has hitherto been collected relating to fish culture,— a branch of industry which is gaining in popular favor, and in which a large number of the people in different parts of the Commonwealth are engaged, with more success than has been anticipated. Applications are constantly made to the commissioners to set apart streams, ponds or lakes for the purpose of prosecuting this business.

The case of the Commonwealth *vs.* The Holyoke Water Power Company is practically settled, the supreme court having decided that this company was sheltering itself behind an erroneous construction of its charter, thus endorsing an opinion long ago expressed by the commissioners. Should the United States Supreme Court, to which the case has been appealed, confirm this decision, the State will be saved an outlay of about twenty-five thousand dollars.

The cost of the work performed by the commissioners is trifling compared with the results reached, and there can be no hesitation in granting the small appropriation which they recommend.

## IMPROVEMENTS IN CAPE COD HARBOR.

In 1867, after careful consideration, the Legislature authorized the construction of a sea-wall across the opening of East Harbor Creek, in Cape Cod Harbor, at Provincetown, and appropriated for that purpose one hundred thousand dollars. In the year 1868 the appropriation was increased to one hundred and fifty thousand dollars, and placed in the hands of commissioners, who thereupon proceeded to construct the sea-wall or dike, and finally completed it successfully in the year 1869. Among the original Resolutions was one asserting that "the appropriation hereby made is in anticipation of a duty and obligation which manifestly belongs to the general government of the United States, and which is now assumed by Massachusetts, in the present exigency, relying upon ultimate reimbursement therefor." It will be seen from this that that Legislature were clearly of the opinion that there was an exigency for completing the work; for, although the harbor was so much in danger, yet the United States had failed to make the necessary appropriations for the purpose. The whole work, since its completion, has been examined by United States engineers, and pronounced by them

to be satisfactorily constructed. In the opinion of some of them at least, if not all, the dike was absolutely necessary to the preservation of the harbor. The United States has always assumed the control and made all the necessary expenditures for the preservation of all the important harbors of the country. It is clearly, then, the duty of the general government to reimburse the State for this expense. By the first Resolve it was made the duty of the executive to request our senators and representatives to urge and secure the reimbursement by the United States of the amount expended, but the work was not completed in time to be fully presented to Congress for action during the last session. If the matter should receive the early attention of the Legislature, and a memorial be presented to Congress, stating the conditions of the work and the necessity of the expenditure, it would aid in securing the payment of the amount disbursed, and which, by every consideration of justice, is due the Commonwealth.

#### EDUCATION.

No subject awakens a deeper interest in the minds of the people of this Commonwealth than

that of education. The appropriations for public schools are increased each year by the cities and towns. The systems of instruction are thoroughly discussed and examined by teachers, school boards and persons interested, that new and better methods may be brought into use and old forms made more effectual. The public school-houses attest the desire of the people to provide material facilities hitherto unequalled and, until recently, unthought of by the most enlightened and progressive friends of education. The salaries of teachers have been increased, and although they are still too small to induce a sufficient number of persons to make instruction a profession, still more men and women are now preparing than heretofore to devote their lives to this interesting and honorable vocation.

Although the standard of education has been raised so high, and the reputation of the State is unsurpassed by that of any other in the Union, much remains to be done to perfect the system and give it wider scope and increased means of usefulness. The chief hope of our State is in its intellectual development. From the education of the whole people she has received incalculable blessings in the past, but only by a most watchful and

attentive care can they be retained in the future. No outlay can bring such an abundant return, even in material wealth, but this is far exceeded by the higher benefits received and the nobler purposes inspired by the pursuit of knowledge.

Let no demand for assistance in any department of instruction be met in a parsimonious spirit, and if there is even a promise of benefit in any new suggestion, the experiment should have a fair trial. Hitherto our system of education has extended little beyond elementary principles. There is open to us a most extensive field of usefulness on which the future productive power of the State greatly depends.

Our system is deficient in technical instruction; we give no special drill for any particular trade. When our children are graduated from the public schools they have no preparation, by instruction, for any definite business. A boy must choose his occupation and fit himself for its duties without other instruction than the slow process of experience and observation. In the demand for labor and the changed circumstances of the time the old apprentice system has passed away, and there is no convenient and proper substitute. Nearly all of our industrial labor is self-taught, and

consequently in a great degree unskilful, compelling us to manufacture coarser fabrics, or import machinery and skilled laborers from Europe. The future material success of the State lies in her industrial mechanical pursuits. With small territory and a sterile soil, a largely increased agricultural product cannot be expected, but other forms of industry may be extended indefinitely, if we educate our artisans and supply skilled laborers from our own population. Each large town should have a technical school established, to teach the particular branches of business followed by the inhabitants of the town and vicinity, not only for youth but also for adults. From these schools would go forth, each year, graduates fitted to fill important positions in our various manufactories, with minds trained to apply the principles which have been slowly developed by their predecessors in the school of experience. Technical schools have been established by law in Germany, Prussia, Belgium, and other States of Europe, for the express object of enabling those countries to compete with their neighbors in all kinds of manufacture. They have been very successful, and wherever located the communities are prosperous, and the business of the town or village enjoying the advan-

tages of a technical school, has largely increased. In this matter of technical education we are far behind these countries. We should be so no longer. We are liberal in our grants for elementary and classical education; we encourage railroads and other public works; but thus far we have failed to stimulate and interest our youth in those special industries which are to give our State increase in population and material prosperity. Perhaps it will be found unnecessary to draw much money from the treasury to initiate the system, for the end may be accomplished by authorizing the cities and larger towns to establish such schools as are suited to the business of the locality, and support them in the same way that other schools are now sustained.

The theoretical study of music has been introduced, with marked success, into the public schools of some of our larger cities and towns. It may be wise to make this one of the branches of learning which are required to be taught in our public schools.

The amount expended for instruc-

tion, raised by taxation, is . . .	\$3,125,053 09
Increase over last year, . . . .	201,344 30

Amount raised by taxation, includ-	
ing income of surplus revenue, for each child in the State be- tween the ages of five and fifteen years, . . . . .	\$11 54
Increase over last year, . . . . .	70

Percentage of the valuation of 1865, ap-  
propriated for public schools, three mills and ten  
hundredths. Increase over last year, twenty  
hundredths.

The larger proportion of teachers are women,  
and their average wages per month are only thirty  
dollars and ninety-two cents. When we consider  
the care and responsibility which devolve upon the  
teachers, and that comparatively few persons are  
fitted for the profession when they enter it, and  
that they do not intend to follow it for any great  
length of time, we must inevitably come to the  
conclusion that an increase of compensation is  
absolutely necessary to the continued success of  
our schools. The most costly instruction paid for  
is that given by inexperienced and incompetent  
teachers. The scholar suffers all his life from er-  
rors contracted in his youth; and often two years'  
attendance at school is of less advantage than one

would have been under a competent and faithful teacher. A large proportion of our teachers come from the academies of the State. They would be much benefited by attending a "training class" before leaving school. These academies might be encouraged to establish such classes by a small appropriation annually, to be expended under the direction of the Board of Education.

The Board, in their last annual report, recommended, after careful consideration, the establishment of a fifth Normal School at Worcester. The people of that city feel that they have been deprived, in a great degree, of the benefits of Normal School instruction. They claim that the Normal Schools are more accessible to the people of nearly all the other cities of the Commonwealth than to them; that while there are large numbers of young persons in Worcester and vicinity who would gladly prepare themselves to become teachers in their public schools, they are unable to leave home and consequently lose the advantages enjoyed by others. The experience of the Board shows that a very large portion of the pupils come from the immediate neighborhood of the schools, and that this tendency is increasing yearly. There is a growing demand for teachers trained in these

schools, and it would seem to be the dictate of wisdom to supply this demand, so far as it is possible.

The locations of some of the Normal Schools are unfortunate, but not so inconvenient as to make their removal necessary. If they had been placed nearer the great centres of population, a much larger number of pupils would have attended them for the purpose of becoming teachers. In this respect Worcester, being the centre of a dense rural population, is very favorably situated. Several important towns in its vicinity, as well as the city, would be accommodated, and from those towns it is confidently expected many pupils would be received, giving promise of a much larger school than any now established. The expense of teaching three hundred pupils would be but little more than the amount paid for instructing half of that number, which is about the present size of the Normal Schools. From these considerations I am induced to cordially commend the action of the Board, and to ask your favorable consideration of the request of the people of Worcester.

We regard with the highest satisfaction the present healthful condition of our colleges, their

constantly improving methods of instruction, the rising standard of attainments required for entrance, and the steady flow of private beneficence for their improvement. Most of these institutions are now on a broad and solid foundation, the result of a wise and faithful administration of the trusts committed by the public to their respective officers. In the time of their weakness the State lent them its efficient assistance, but at present I believe there is no new demand upon the treasury for their support.

I would, however, call special attention to an institution exclusively in the care of the State, the Museum of Comparative Zoölogy, which has given a new impulse to the study of natural sciences in the United States. It has widened the relations between our civilization and that of the older nations. It has, from its very foundation, made the interests of education one of its chief objects, to which it gives increasing attention; giving instruction not only to special students, but teachers also in the various branches of natural history. By its influence it is constantly raising the standard of culture in Massachusetts, and helping her to retain permanently her commanding position in matters of education throughout the country.

The growth of this institution has been so remarkable during the eleven years of its existence that, if duly supported, it will unquestionably soon take the lead among the great museums of the world. I would, therefore, both for the interests of education and learning at home, and for honorable competition with similar institutions abroad, commend it to your liberal assistance.

It is eminently becoming in us to recognize not merely the genius and extraordinary endowments of the projector of this institution, but also the generous devotion to science and the partiality which led him to select this country, and especially this State, as the sphere of his invaluable labors,—labors which reflect the highest honor on himself and on the land of his adoption,—raising it to a high position in the scientific world. We are painfully reminded by the present state of his health that the time for developing his great idea and executing the part of the work he has undertaken, is both limited and of uncertain duration. What he has to do for us and we for him must be done quickly. Let the Commonwealth of Massachusetts with a magnanimous spirit meet the generous foreigner who has left his native land for ours, and for us refused the flattering offers of a mighty

nation, sacrificing both health and fortune for our advancement. Let Massachusetts show the world that genius, generosity and science are not unappreciated by her.

#### WOMAN'S SUFFRAGE.

Woman's suffrage has recently been the subject of much public discussion. If brought to your attention, no doubt you will give it that consideration which it properly deserves. Certainly that is no trifling matter which concerns the interests and duties of more than one-half of the people of the Commonwealth. The usages, the sentiments and the teachings of past ages are indeed in opposition to this principle, but this is an age of change and progress. The existence and action of our republican government are also in opposition to the customs of the majority of nations, past and present. We are accustomed to examine each question independently on its intrinsic merits, and we are not bound by the traditions of the past.

With regard, then, to the abstract right, it is difficult to see why one sex only should exercise the privilege of voting, and there certainly are many strong considerations why those now ex-

cluded should be permitted to share in public affairs. Whatever conclusions, however, we may reach on this point, there can be no question that great injustice is done to woman by many existing laws, and it is our duty to relieve the statute books of these relics of barbaric ages.

I allude particularly to those laws affecting the rights of property.

For instance: a husband inherits all of his wife's separate personal estate, while she under like circumstances will inherit only one-third of his; the husband can dispose of all his personal estate by will, but she can devise no more than one-half of her separate estate without his consent; a husband's separate deed can convey his real estate, subject only to dower and homestead, without her consent, but her deed conveying her own separate estate without his consent is absolutely void. The wife cannot convey her shares in a corporation, neither can she lease her separate real estate for more than one year, without her husband's consent. No such restriction attaches to the husband's stock in corporations, or leases of real estate, and while a wife within a specified time may waive the provisions of her husband's will, if it unjustly deprives her of her proper

share of his property, yet if she is insane during that period of time, no such waiver can be made, and the unjust will must stand, so that if the death of her husband causes her to lose her reason, she will with it lose her just share of his property also.

There are laws, also, affecting the rights of woman in regard to children, which bear severely upon her in the tenderest relations. The courts have often shielded her of late years in these matters, realizing doubtless that precedent and the usual strict interpretation of laws often bring great injustice to many worthy and suffering mothers, and lasting injury to children. All such injustice and hardship should be eliminated from our laws, and this is peculiarly your function. The laws of a State ought to express the sentiments and opinions of the people, but our statutes now fail to do this in many particulars deeply affecting the rights of woman.

#### THE LABOR QUESTION.

As the guardians of the public welfare, you are called upon to do everything that legislation can properly effect, to improve the physical, mental and moral condition of your constituents, especially

of those whose daily toil contributes so largely to the prosperity of our vast manufacturing interests. To promote this end the Board of Health are actively pursuing their investigations into the sanitary condition of manufactories and the dwellings connected with them.

The Bureau of Labor is also particularly charged to inquire into and secure the enforcement of laws in regard to the schooling of children, and to report on the general condition of the productive industry of the Commonwealth. In the last twenty years, legislation has been wise and efficient in behalf of this important interest, but there is still room for advance, and the time has now come to inquire whether the hours of labor in manufactories, established by law, may not be limited with great advantage to both employers and the employed. Of course, this does not directly affect the question of wages, which cannot properly be determined by legislation. The report of the Bureau of Labor, containing many interesting statistical statements, will soon be laid before you for your information.

#### COMMERCE.

Representing a section of the Union deeply concerned in everything affecting national inter-

ests, you cannot overlook the present oppressed condition of American commerce. We were gratified last year with the prospect of immediate and efficient action by the general government in its behalf; but, although a very able committee has examined the subject, and reported recommending that steps be taken to this end, yet nothing practical has been done, and we are apparently farther from a satisfactory result than we were a year since. Although this department of industry is conducted by individual enterprise, which should be always encouraged, it is peculiarly of national importance, and essential to a successful competition with other nations in time of peace, and to our own safety in time of war. If there should occur any occasion in which you may legitimately act in this matter, it will, I doubt not, meet your prompt attention.

#### LENGTH OF SESSIONS.

A sense of public duty, alone, compels me to advert to the importance of bringing your session to an early close. The length of time devoted to legislation the last two or three years, has caused great impatience among the people.

The evils attendant upon long sessions are too

apparent to be questioned. If there is no way of remedying the difficulty, except by a radical change in our constitution, then we should hasten to adopt the system in practice in many other States of biennial sessions.

The conviction is prevalent that our General Laws are well settled, and that the constant liability to change, incident to annual sessions half a year in length, is very injurious to business, and wholly unnecessary. Probably a legislature sitting once in two years would meet all the real wants of the community. Now, there is scarcely time to learn the results of a law before it may be altered or repealed. The cost of yearly sessions is a circumstance not to be disregarded, the expense now reaching annually nearly four hundred thousand dollars. Half of this would be saved to our tax-payers, already too heavily burdened. I leave the matter for your consideration.

#### NATIONAL AFFAIRS.

The people of this State remember with gratitude and pride that they are a part of that nation which was the first to declare that all men are free and equal. No distinction of color is recognized in our laws, but every man stands before them

the peer of his fellow. After nearly a century has elapsed, through much strife, sorrow and tribulation, this dream of the fathers of the Constitution has at length become fixed and enthroned in the hearts of the people.

This generation has done a great work, but they will be faithless to their own history, if they pause in their career of mighty endeavor. With unsurpassed means of intercommunication from the Atlantic to the Pacific, speaking the same language, living under the same general laws, with ideas of personal freedom hitherto unknown by any nation on earth, they have opportunities of public and general culture and of social enjoyment opened to them, such as the boldest imagination dared not assert as possible a hundred years ago. That these priceless advantages may never be lost, nor this noble heritage sacrificed to local jealousies and personal ambition, is the work assigned to the present generation. The men who saved the Union understand its value. We shall be recreant to them and to our duty if the government of this nation is allowed to pass into the hands of men who will acknowledge fellowship even, with those who in the very dawn—as they imagine—of returning power, are ready to tear from

their resting places the bones of the patriot soldiers to whom the nation owes its life, in order that the traitors may return to the lands which they left, to destroy the nation, and rivet the chains of the slave. When such impious desires shall be no longer cherished, when the graves of our patriot dead shall be left undisturbed, and the voice of scorn shall be no longer heard in our land—but not till then—can the people divide on the minor issues of the hour without fear that a change of rulers will destroy the honor and integrity of the nation, saved at such terrible sacrifices of blood and treasure.

We rejoice in the returning prosperity of that part of our country desolated by war, and we hope the time is not far distant when the spirit of strife shall cease, and when even the remembrance of the conflict shall fade away. Undoubtedly the best interests of the country can be secured and the highest hopes of the people realized only by their having an assured unity.

We are reminded, not only by our own history, but also by the terrible conflict now raging between two of the most enlightened nations of the globe, of the inestimable value of peace. We cannot deprecate too strongly all attempts to arouse

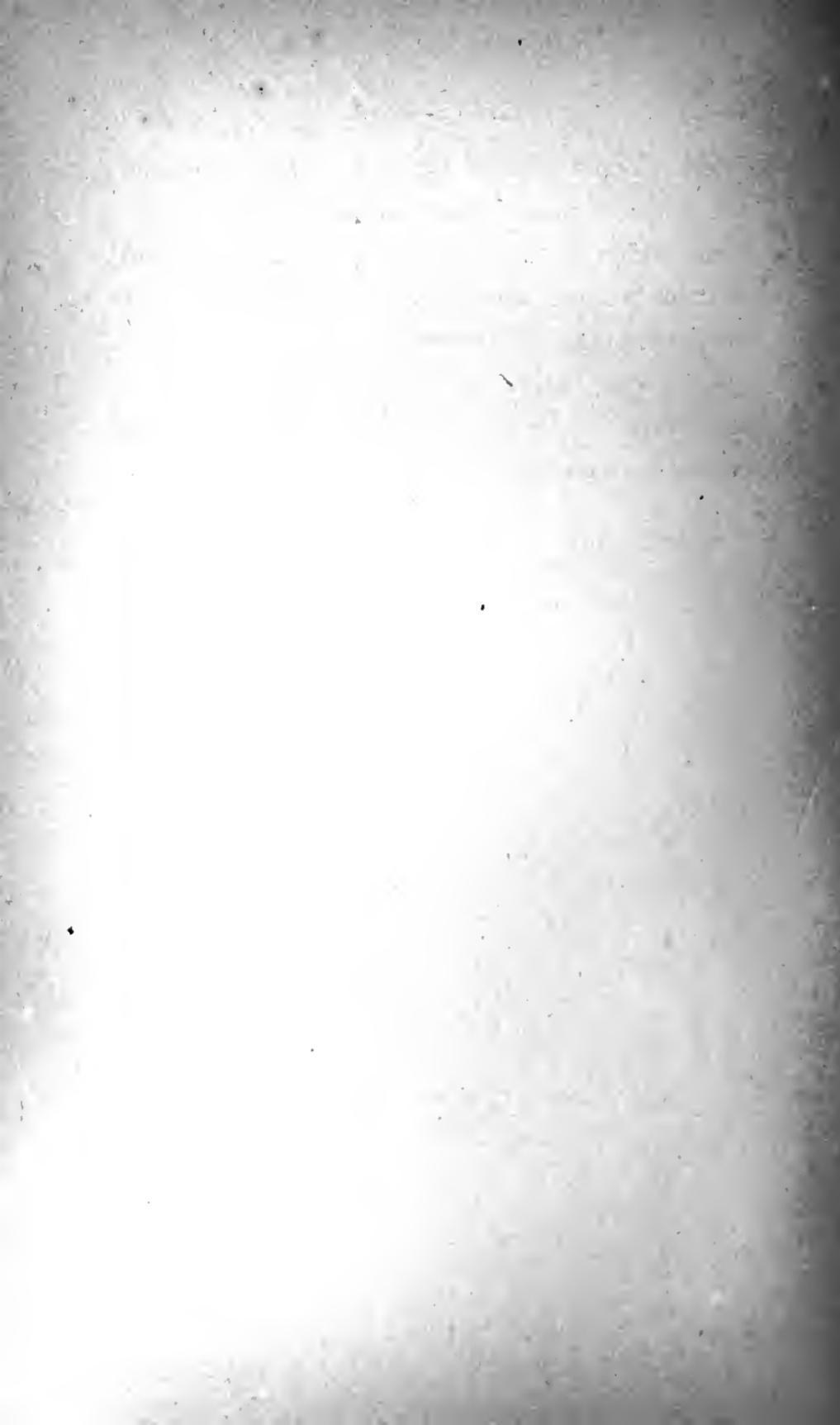
amongst us a spirit of hostility towards other nations. The middle classes of the people of Europe look to America as their refuge from tyranny, and as the home of the poor. They were our friends in the darkest days of the rebellion. In Great Britain, even amid the extreme sufferings caused by the continuance of our struggle, they constrained their rulers to observe neutrality, and they in the end will compel their government to render us the meed of justice. Upon them would fall the horrors of war in any contest with us, and we should be slow to weaken their confidence in our magnanimity, or give to their opponents the long sought opportunity of attaining power, and thus increasing the danger of war by postponing the settlement of the questions in dispute between the two countries.

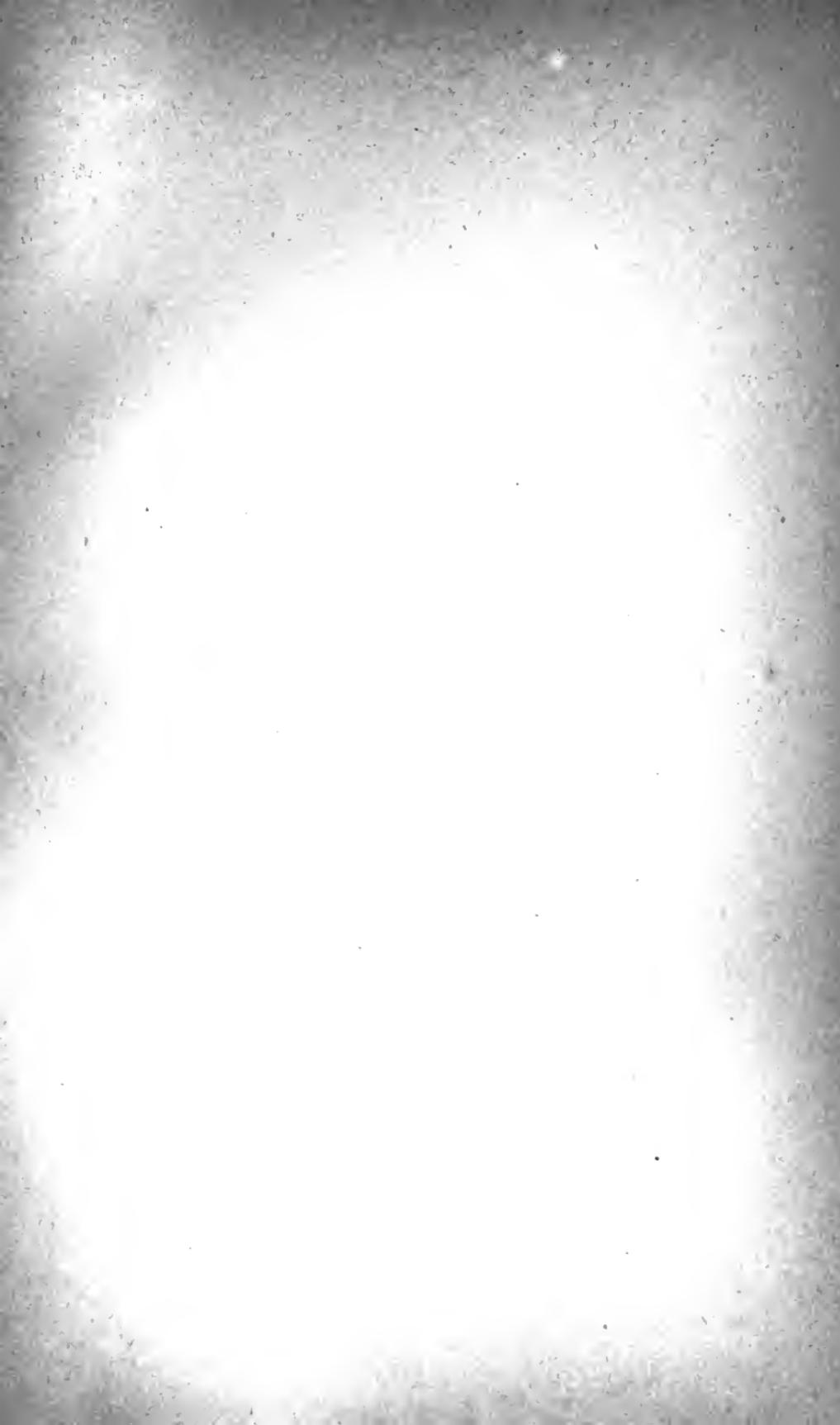
*Senators and Representatives:*

You meet under most favorable circumstances, in a State rich with memorials of the past, strong in resources, full of enterprise and blessed with high civilization. The recent census shows a steady advance in her population, in which she compares favorably with the new States of the

West. Yours is now the opportunity to extend the application of those principles of government which have given to the Commonwealth enviable renown abroad, and to her citizens at home blessings innumerable.

Let us be faithful to our high trusts, believing that in the end we shall meet the approval of our constituents and receive the benediction of Heaven.





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